

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

BOUNDARY CATTLE, INC, AND LIANE
JOHNSON, DBA LJ FARMS,

Plaintiffs,

vs.

BASF CORPORATION,

Defendant.

CV-18-106-GF-BMM

ORDER

The Court conducted a motions hearing in this case on September 11, 2019.

For the reasons stated in open court,

IT IS ORDERED:

1. Plaintiffs' Motion in Limine re: Causation Opinion (Doc. 44) is **DENIED** in part and **GRANTED** in part. Philip Westra's testimony shall be limited to opinions expressed in his initial (Doc. 45-1) or supplemental (Doc. 45-2) reports.
2. BASF's Motion in Limine - Wesley Noel (Doc. 47) is **DENIED**.
3. BASF's Motions in Limine - Scott Knapton (Doc. 50), Scott Johnson (Doc. 54), and Gerald Johnson (Doc. 56) are **DENIED** in part and **GRANTED** in part. The testimony of the witnesses shall be limited to matters for which they are percipient witnesses. They shall be allowed to testify regarding their opinions in response to two inquiries: the cause of the increased presence of cheatgrass and the cause of the affected yields of winter wheat.
4. BASF's Motion in Limine Omnibus (Doc. 58) is **GRANTED** in part and **DENIED** in part. Plaintiffs shall not refer to BASF as "corporate America," "big business," or identify BASF as a "foreign

corporation.” The motion is denied as to the exclusion of the untimely disclosed photograph. The Court reserves judgment on the exclusion of evidence of other claims against BASF. The Court directs the parties to submit information regarding the type of claim, the location of the claim, the time of the claim, and the resolution of each claim.

DATED this 13th day of September, 2019.



Brian Morris
United States District Court Judge